

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VERINATA HEALTH, INC., et al.,
Plaintiffs,
v.
ARIOSIA DIAGNOSTICS, INC, et al.,
Defendants.

Case No. [12-cv-05501-SI](#)

**ORDER RE MOTION TO STRIKE
PORTIONS OF THE EXPERT REPORT
OF DR. CANTOR**

Re: Dkt. No. 518

Plaintiffs Illumina, Inc. and Verinata Health, Inc. move to strike portions of defendant Ariosa Diagnostic, Inc.'s expert Dr. Charles Cantor's report based on collateral estoppel. Dkt. No. 518. In particular, plaintiffs seek to strike Dr. Cantor's opinion that U.S. Patent Publication No. 2002/0172946 ("Fan"), in combination with U.S. Patent No. 6,316,229 ("Lizardi"), renders obvious U.S. Patent No. 7,955,794 ("the '794 patent"). *Id.* at 1. In response, Ariosa represents that it will not argue at trial that the combination of Fan and Lizardi renders obvious any claim of the '794 patent. Dkt. No. 553. Therefore, the Court DENIES the motion as moot.

IT IS SO ORDERED.

Dated: January 3, 2018



SUSAN ILLSTON
United States District Judge